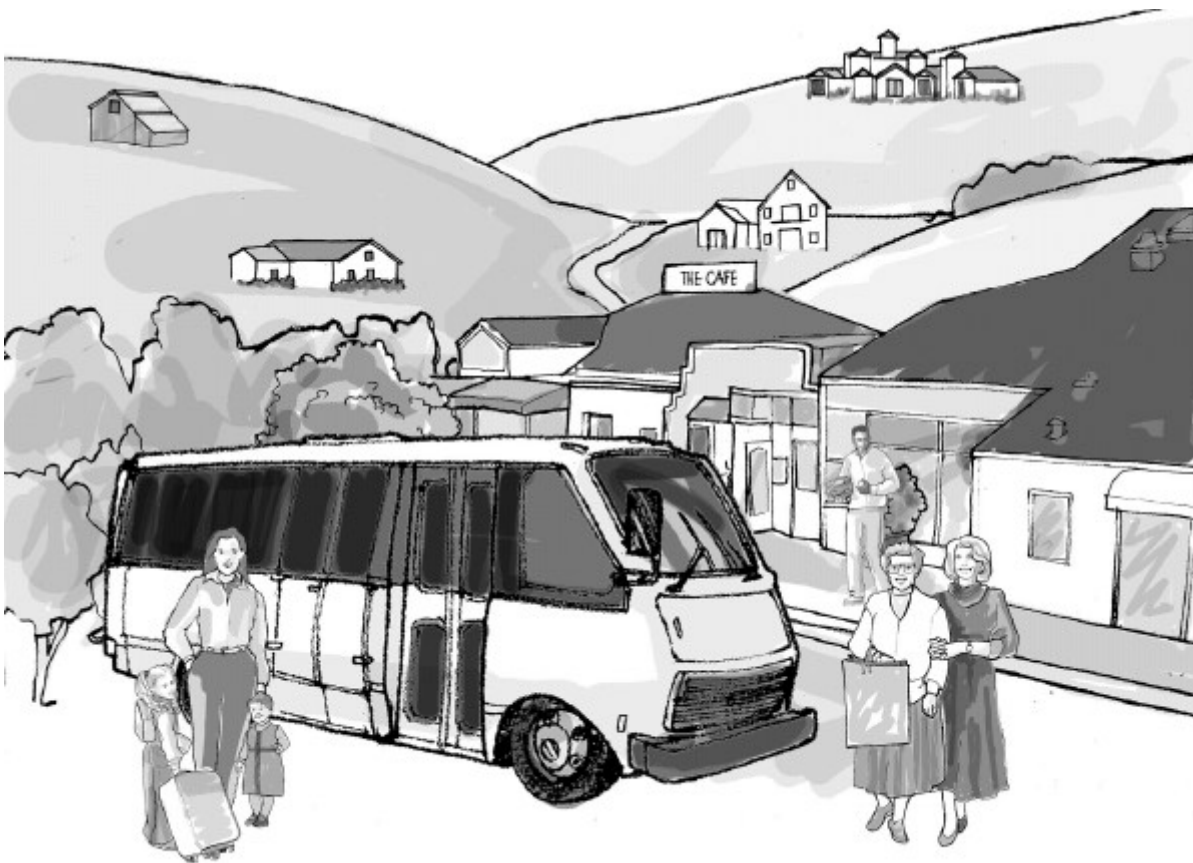


# Public Transportation and Rail Division

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## Applicant's Guide to FTA Section 5311 Grant Program

January 1, 2002 – June 30, 2003



**Washington State  
Department of Transportation**

**Americans with Disabilities Act (ADA) Information**

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Prepared by the Public Transportation and Rail Division,  
Washington State Department of Transportation  
P.O. Box 47387  
Olympia, Washington 98504-7387

In cooperating with the  
United States Department of Transportation,  
Federal Transit Administration

For Questions regarding this application guide, contact:

- Valerie Rodman, Grant Programs Branch Manager, (360) 705-7979 or [rodmanv@wsdot.wa.gov](mailto:rodmanv@wsdot.wa.gov)
- Ginny Morin, Grant Programs Specialist, (360) 705-6985 or [moring@wsdot.wa.gov](mailto:moring@wsdot.wa.gov)

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# Chapter 1

## Overview of the 5311 Grant Program

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### Introduction

This chapter contains general information on the Federal Transit Administration's (FTA) 5311 Grant Program. This grant program provides funding assistance for transportation providers serving the general public in rural areas of Washington State. All grants reimburse grantees for the eligible expenses they incur during the project period.

The 5311 Grant Program provides two types of assistance:

- Capital assistance consisting of an 80 percent federal contribution toward eligible capital purchases. A 20 percent local cash match is required from the applicant.
- Operating assistance consisting of a 50 percent federal contribution for net expenses of service operations. A local match of 50 percent is required from the applicant.

### How much money will be available for grants?

WSDOT expects to have approximately \$3,500,000 in federal funds for projects, assuming Congress makes its appropriation by October 2001.

### What are the limitations and requirements?

To be eligible for funding under the 5311 Grant Program, applicants and projects must meet eligibility requirements. There are also limitations on how the funds may be used and numerous state and federal obligations that must be met during the application and implementation phases. Some of those requirements are listed below and are described in the following pages:

- Eligibility criteria for applicants
- Eligibility criteria for projects
- Requirements for matching funds
- Requirements that must be met during the application process and project implementation

## What types of agencies are the eligible to submit applications?

The following types of organizations are eligible to apply for the 5311 Grant Program funds:

- State agencies
- Public transit agencies
- Tribal governments
- Nonprofit organizations (operations assistance only)
- Local public bodies (cities, counties, and special districts)

✎ **Note:** Nonprofit organizations or government agencies serving exclusively elderly persons and/or persons with disabilities are not eligible to apply for capital assistance under this program. If your agency falls into this category, you should apply for funding under FTA's 5310 Grant Program.

### Applicants must also be qualified

As part of the grant application process, demonstrate their willingness to comply with various federal regulations and their ability to implement their proposal if a grant is awarded. For information on how applicants demonstrate their fitness, in Chapter 3, Preparing for a Grant Application, see "Gathering assurances and certifications."

After applications are submitted, the Public Transportation Office's Grants Branch staff will review each application to ensure the applicant's qualifications and ability to participate in the program. Applications received from organizations who are not clearly qualified will be dropped from further consideration.

✎ **Note:** The assurances and certifications are due at the time the application is submitted. Applications received without the proper documentation will not be accepted and will be dropped from further consideration.

## What types of projects are eligible?

To be eligible for assistance under the 5311 Grant Program, projects must serve the general public in rural areas.

An eligible applicant may submit separate applications for any number of independent projects, some of which may be for capital assistance and some of which may be for operating assistance. However, capital and operations projects must be applied for separately.

### Planning is required for public transit agencies.

Projects submitted by Public Transit Agencies must be included in that agencies current Transit Development Plan (TDP) in order to be eligible for funding.



## Eligible projects for capital assistance

The following types of capital projects are eligible for funding under the 5311 Grant Program:

- Wheelchair accessible passenger service vehicles
- Refurbishment of existing vehicles
- Vehicle retrofit for wheelchair lifts
- Replacement parts for passenger service vehicles
- Communications equipment (two-way radios)
- Computer hardware and data systems
- Other equipment such as bus shelters and bicycle racks
- Used wheelchair accessible, passenger service vehicles (only if they are clearly identified on the application)

✎ **Note:** Maintenance equipment and facilities or other construction projects are not eligible for this program unless the funding for the project is transferred from the Surface Transportation Program (STP). For more information on how to apply for STP funding, contact the Regional Transportation Planning Organization in your service area.

## How must the equipment be used?

All equipment purchased under this program must be used to provide passenger transportation to the general public in rural areas and the for the services outlined in the application. Vehicles purchased under this program must provide a minimum of 100 miles per week in passenger service.

## Apply separately for different types of equipment

Vehicle equipment and non-vehicle equipment must be applied for separately. However, a series of small projects serving the same geographical area, such as bus shelters, computers, or radio systems, may be combined in a single application.

## Eligible operating projects

Generally, to be eligible for operating assistance, projects must serve the general public in rural areas. (For exceptions, see below.) There are also four other requirements for eligibility:

- Agencies may not show a net profit for their passenger service operations
- A single service area for project assistance may include multiple counties only if those counties have common borders.
- An open door public access policy must be maintained to the maximum extent possible.
- The assistance must be added to existing transportation financial resources and not displace those moneys.

### **Exceptions for projects serving primarily elderly persons and persons with disabilities**

Exceptions can be made to the rule that 5311 projects must serve the general public in rural areas. Projects which serve primarily elderly persons and persons with disabilities are eligible under the following circumstances:

- The projects will be undertaken in direct affiliation with general public transportation operations;
- The projects are under contract with a private or public transportation operator serving the general public; or
- The projects are in geographical areas not served by general public transportation operators and the transportation services are available to the general public; and
- Services are advertised to the general public.

## **What are the requirements for matching funds?**

### **Required match for capital assistance projects**

For capital assistance projects, grantees are required to provide a cash match of 20 percent of the eligible project costs. The funds used for match may not have any restrictions placed on them that would restrict the services provided with the vehicle or place a lien on the equipment. Federal funds are not eligible for match under this program.

### **Required match for operating assistance projects**

For operating assistance projects, grantees are required to contribute a minimum of 50 percent of the net operating expenses (gross expense less fares and donations) for all operating projects. Fares and donations may not be used as match.

Up to one-half of the matching funds may be in-kind contributions or non-USDOT federal support, but at least one half of the matching funds must be cash derived from state, local, or private sources, including profits from contracts. In-kind contributions must also be included as project costs and the value of the services must be documented.

☛ **Note:** For the purpose of this program, federal funds passed through state social service agencies, such as Medicaid, are not considered to be federal funds and may be used for match.

### **Fares and donations cannot be used for the match**

Passenger fares and donations are not eligible to match federal assistance and must be deducted from the gross expenditures prior to calculating the matching amount.

### What are In-kind contributions?

For the purposes of operating projects, in-kind contributions are the value of noncash charges for real property and equipment, and value of goods and services directly benefiting and specifically identifiable to the project. To be eligible as match, the monetary value of the in-kind contributions must be documented.

### What requirements must be met during the application process and project implementation?

Aside from eligibility criteria, numerous federal and state requirements impact the application process as well the project's implementation. This chapter briefly explains the following requirements:

- Public hearings requirement for capital projects
- Complying with Section 5333(b) Special Warranty (formerly 13c)
- Testing for drug abuse and alcohol misuse
- DBE purchasing efforts (for projects not involving rolling stock)
- Reviews and Inspections for vehicle purchases
- WSDOT will hold title to vehicles
- Accounting and administrative requirements
- Complying with other federal regulations

#### Public hearings are required for capital projects


All applicants seeking capital assistance must conduct a public hearing in the service area of each capital project. At the hearing, the applicant must describe the scope of its project to the audience and accept any comments about it. The hearing must be completed prior to submitting an application to WSDOT.

The public hearing may take one of two forms:

- An agenda item of the applicant's board of directors business meeting
- A special hearing conducted by the applicant's board of directors or legislative body or staff

#### Providing notice of the hearing

In either circumstance described above, the applicant must notify the public of the time, place, and purpose of the hearing with a legal notice in a local newspaper, with county wide circulation, and a mailing to other transportation operators providing service within the service area of the proposed capital project. ***This notice must be made at least three weeks in advance.*** Appendix D contains a sample legal notice for this hearing.

 **Note:** WSDOT's Public Transportation and Rail Division must be notified at least two weeks in advance as to the time and date of the hearing. This must be done in writing, to Ginny Morin in the Public Transportation Office. You may also do this by facsimile, (360) 705-6820, or e-mail, [moring@wsdot.wa.gov](mailto:moring@wsdot.wa.gov)

### **Documenting the hearing**

To document the hearing the applicant must summarize all comments made at the hearing and record who was present. The hearing minutes, along with a copy of the legal notice, are **required attachments** to any application for capital assistance. Applications received without documentation of the public hearing will not be evaluated and will be returned to the applicant.

### **Complying with Section 5333(b) Special Warranty (formerly 13c)**

Protection of employee rights is a significant aspect of any project. The Section 5333(b) Special Warranty applies to all agencies receiving financial assistance under this program. Employees covered by this labor protection include not only your employees but also those of other providers should their business decline as a result of the services you provide under this grant program. The U.S. Department of Labor requires the successful applicant to protect and provide due process to all affected passenger transportation employees within the project service area. For more information on this requirement, please refer to 49 USC Section 5333(b) and US Department of Labor Guidelines at 29 CFR part 215.

### **Testing for drug abuse and alcohol misuse**

All successful applicants will be required to be in compliance with 49 CFR Parts 40, 653, and 654; and the Drug Free Workplace Act. These regulations mandate that recipients of 5311 funding implement drug abuse and alcohol misuse testing of all safety sensitive employees.

#### **When does testing begin?**

Grantees will be required to begin testing as of the effective date of the project. Prior to January 1, 2002, or the effective date of the project, grantees must complete all of the following requirements:

- Have their drug abuse and alcohol misuse policies approved by WSDOT,
- Have these policies adopted by their board, and
- Train all affected employees.

There is no supplemental funding for undertaking this requirement, although it is an eligible expense for operating assistance. For sample material and advice about the details of these requirements, contact Barb Savary, Public Transportation and Rail Division, 360-705-7926 or [savaryb@wsdot.wa.gov](mailto:savaryb@wsdot.wa.gov)

### **Grantees must make good faith efforts to purchase from DBEs**

Each grantee receiving operating assistance and/or funding for non-vehicle equipment are expected to make good faith efforts to purchase from certified disadvantaged businesses enterprises (DBEs);

For more information on purchasing from DBEs, see Chapter 8, “About Grants for Operating Assistance;”

✎ **Note:** Organizations who are awarded grants with a combined total of \$250,000 or more (exclusive of rolling stock) will be required to establish formal DBE goals and policies. Those goals and policies must be approved be submitted to WSDOT for approval.

## **Reviews and Inspections are required for vehicle purchases**

### **Review prior to awarding a bid**

Before a contract can be awarded to a vendor for the purchase of a vehicle, grantees are required to perform a review of the responsive bidder having the lowest bid price of the specified vehicle; this is called the *pre-award review*. The pre-award review may include a trip to the manufacturer.

### **Inspect vehicles and compliance documentation following delivery**

After the vehicle is received, grantees must conduct a post-delivery inspection to insure that the vehicle is in working order, was built to their specifications, and complies with FTA's *Buy America* regulations and *Federal Motor Vehicle Safety Standards*.

For more information on the purchase process and audit requirements, see Chapter 7 of this guide, “About Purchasing Equipment.”

## **WSDOT will hold title to vehicles**

WSDOT must be listed as the legal owner when titling a vehicle purchased under this program. For more information see Chapter 7 of this guide, “About Purchasing Equipment.”

## **Accounting and administrative requirements**

All grantees will be required to comply with the applicable circulars issued by the Federal Office of Management and Budget (OMB).

## **Complying with other federal regulations**

Grantees receiving funds under the 5311 Grant Program must also comply with other federal regulations. The federal regulations include but are not limited to:

- Title VI of the Civil Rights Act
- Non-Discrimination on the Basis of Disability
- Americans with Disabilities Act (ADA) and public accommodations
- Written Code of Ethics

## **Will grantees receive assistance in complying with requirements?**

Yes. All successful applicants will receive a guidebook, *Guidebook for Managing 5310 and 5311 Grants*, when the project agreement is issued. This guidebook assists grant recipients in managing the grant funds and complying with all applicable federal regulations.

## **Need help now?**

For questions regarding the program requirements or application process, contact Valerie Rodman at 360-705-7979 or [rodmanv@wsdot.wa.gov](mailto:rodmanv@wsdot.wa.gov)

## **Chapter 2**

# **The Grants Process**

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### **What happens when**

This chapter outlines the steps and scheduling as you apply for a grant. The steps and scheduling are also illustrated in Figure 2.1, *What Happens When in the 5311 Grant Program*.

For important background information on grant applications, see Chapter 3 of this guide, "Preparing for a Grant Application."

For detailed instructions on the application form, see Chapter 4 of this guide, "Submitting a Grant Application."

### **Applications are available**

Applications became available in April of 2001 for January 1, 2002 to June 30, 2003 funding.

### **WSDOT conducts Regional Applicant Meetings and Grant Writing Workshop**

WSDOT will conduct Regional Applicant Meetings and a Grant Writing Workshop between May and June of 2001.

### **What is the purpose?**

At the meetings Public Transportation Office staff will provide technical assistance to prospective applicants. Topics to be covered include what's new on the application form and updates on grant program requirements. The Grant Writing Workshop will provide tools for writing a more successful application.

### **Who should attend?**

Staff members at all levels are welcome to attend. However, you are encouraged to send representative(s) who are directly responsible for writing your grant application and assembling the information for your proposal.

## **When and where will the Regional meetings and workshop be held?**

### **Regional Meetings**

Spokane	May 15, 2001	1:00-3:00 p.m.	Spokane Public Library 906 W. Main, Room 1B
SeaTac	June 5, 2001	10:00-11:00 a.m.	SeaTac Super 8 3100 S. 192 <sup>nd</sup> Street
Ellensburg	June 12, 2001	1:00-3:00 p.m.	Hal Holmes Community Center 201 North Ruby

### **Grant Writing Workshop**

SeaTac	June 5, 2001	11:00-3:00 p.m.	SeaTac Super 8 3100 S. 192 <sup>nd</sup> Street
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☛ **Note:** Attendance, while not required, is strongly encouraged. Valuable information will be provided on tools to write a more successful proposal.

## **Capital assistance applicants hold public hearings**

All applicants seeking capital assistance are required to hold a public hearing prior to submitting an application.

### **Remember to give advance notice of your public hearing**

Applicants are required to give two types of notice for the public hearing:

- Publish a legal notice at least three weeks in advance (see Appendix B for a sample legal notice).
- Notify WSDOT's Public Transportation and Rail Division at least two weeks in advance as to the time and date of the hearing. This must be done in writing to Ginny Morin via mail. You may also send your notice by facsimile to (360) 705-6820 or by e-mail to [moring@wsdot.wa.gov](mailto:moring@wsdot.wa.gov).

For more detailed instructions, see Chapter 1, "Overview of the 5311 Grant Program."

## **Assurances and certifications are gathered**

As part of the grant application, applicants must document their ability to implement their proposal and their willingness to comply with federal regulations associated with receiving grant funds. Applicants demonstrate this through completing a series of required *assurances and certifications*. For the requirements, see Chapter 3, "Preparing for a Grant Application."



## **Applications are submitted**

Applications for the 5311 Grant Program must be received by WSDOT no later than **5 P.M. on Tuesday, July 31, 2001**. Applications received after that time will not be considered for funding.

## **Applications are evaluated**

All eligible project applications will be evaluated according to the process described in Chapter 5, "How Grants Are Awarded." After all projects have been evaluated, and WSDOT has received the federal allocation, applicants will be notified of their project's status and position on the ranked listing.

☛ **Note:** Successful applicants may be awarded all or part of their request.

## **Appeals may be submitted**

If an application is returned without being considered, applicants may appeal WSDOT's determinations regarding acceptability. For information on how to submit an appeal, see Chapter 6, "Need Help with an Application?"

## **Grantees are notified**

FTA funds the 5311 Grant Program; FTA notifies WSDOT of the amount of the allocation for the following year. Based on the amount of funds allocated and each project's position on the ranked listing, WSDOT prepares a program budget and notifies each applicant about the results of their application.

## **Finalists are forwarded to FTA**

WSDOT assembles all recommended projects and their costs into a single application and submits it to the Federal Transit Administration (FTA) for approval. FTA must approve each project before any expenses may be incurred or obligated for a project and be eligible for reimbursement.

## **Project agreements issued**

WSDOT and each applicant must execute a project agreement describing the terms and conditions of the project.

## **Operating projects begin**

These projects may begin on or before the complete execution of a grant agreement for the project. Unless a grantee requests otherwise in their application, they typically begin January 1. They last 18 months, with no more than monthly reimbursement of project expenses.

Testing for drug abuse and alcohol misuse of safety sensitive employees and their supervisors begins on or before the beginning date of the project. All drug abuse

and alcohol misuse policies must be adopted by the board and employee training completed prior to the effective date of the project.

### Vehicle specifications are developed

Vehicle specifications must be written by the applicant and approved by WSDOT before bids are sought for purchase. These specifications may be completed while the grant agreement for the project is being signed, if not before.

For general information on this process, see Chapter 7, “About Purchasing Equipment.”

### Bid process

All acquisitions over \$25,000 must be made through a structured bid process with the awards made on the basis of lowest responsive bid.

For general information on this process, see Chapter 7, “About Purchasing Equipment.”

### Vehicles are delivered

The more conventional the equipment, the sooner the applicant can expect delivery. Large buses may take more than 12 months from bid award to delivery.

**Figure 2.1. What Happens When for Grantees?**

Month	J	A	S	O	N	D	J	F	M	A	M	J	J
Applications due	X												
Grants evaluated		X	X										
Grantees notified				X	X								
Projects to FTA					X	X							
Agreements							X	X	X				
Specifications						X							
Bid process							X	X	X	X			
Vans delivered												X	
Buses delivered													X
# of Months						3			6			9	12

*Figure 2.1 This chart illustrates the approximate intervals between application for a grant and delivery of vehicles.*

### **Approximate time intervals for applications**

- From application to evaluation: 1 month
- From application to forwarding of finalists to FTA—2 months
- Operations assistance projects
  - from application to beginning of project: 5 months
- Capital assistance projects
  - from application to delivery of minibuses: 10+ months
- from application to delivery of transit buses: 12+ months



## Chapter 3

# Preparing for a Grant Application

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This Chapter provides background information on how to prepare an application for the 5311 Grant Program. Read this information carefully before completing your grant application.

For detailed instructions of filling out the application form, refer to Chapter 4 of this guide, “Submitting a Grant Application.”

### Requirements for your application

The application process includes several steps that will require advance planning in order for your grant proposal to succeed.

#### **Submit separate applications for different projects**

Submit separate applications for independent projects, different service areas and/or different types of equipment (that is, vehicles or non-vehicle).

#### **Coordinate your services and funding**

Historically coordination efforts have been the single most persuasive element in an application for financial assistance. Agencies applying for funding are expected to coordinate their services with other transportation providers in their area as well as agencies who may be able to use the services provided by the applicant and/or provide financial assistance for those services.

Coordination is an ongoing process. It is important that you start your efforts early in the planning process for your project and include as many types of organizations as possible.

Your application form will require you to describe your efforts to coordinate your services and funding sources. You will also describe the benefits gained or expected as a result of these efforts; and what coordination efforts your agency will be pursuing in the future.

☛ **Note:** All applicants are strongly encouraged to take part in the Agency Council on Coordinated Transportation (ACCT) Local Coordinating Coalition for their service area.

### **You may attach supporting documentation**

Any letters of support received from these agencies or the general public may be attached to your application. You may also attach pictures, graphs, or other items relating to the project described in your application.

### **A current inventory is required**

When applying for a 5311 grant, your organization is required to submit a Current Passenger Service Vehicle Inventory. Attach the inventory to your application.

### **A map of your service area is required**

In addition to describing the services that you will provide, you are required to attach a map that shows the geographic area where your organization will be providing service described in your application.

☞ **Note:** If you are applying for funding for specific routes, identify which routes on the service area map.

### **Planning is very important**

To help your project be more competitive, you should include the project in any internal agency plans. In addition, applicants are encouraged to coordinate with local and regional planning organizations, such as, city and county planning divisions and the Regional Transportation Planning Organizations (RTPOs) in their area to ensure that your project and/or the services you provide are incorporated into local, regional, and statewide planning documents.

☞ **Note:** Public Transit agencies are required to include their project(s) in their Transit Development Plan (TDP) prior to submitting an application for the project(s).

## Gathering assurances and certifications

As part of the grant application, applicants must document their willingness to comply with various federal regulations and ability to implement their proposal if a grant is awarded. To demonstrate their fitness, applicants must supply the following *assurances and certifications* with their application.

### What documentation is required?

You must submit each of the documents below with your application.


- Current Certificate of Insurance (capital applications only, supplied by your insurance carrier)\*
- Certification of Restrictions on Lobbying (applications for \$100,000 or more)
- Certification regarding Procurement Compliance (capital applications only)
- Federal Transit Administration Civil Rights Assurances
- Letter for Acceptance of the Section 5333(b) Special Warranty
- WUTC Certificate (non-profit agencies only)\*
- Assurance Concerning Nondiscrimination on the Basis of Disability in Federally Assisted Programs
- Substance abuse certification
- Charter Service Agreement
- School Transportation Agreement
- Certification regarding Debarment, Suspension, and other Responsibility Matters
- Bus testing Certification for new buses (Capital applicants requesting vehicles only)
- Certification of Pre Award and Post Delivery Reviews Required for Acquisition of Rolling Stock (Capital applicants requesting vehicles only)
- IRS determination letter (Private-Non-Profit Agencies only)\*

### How can those forms be obtained?

Forms for most of the certifications and assurances have been provided in Appendix B of this guide. Items marked with an asterisk (\*) must be supplied by your agency.

### Assurances and certifications are due with the grant

Assurances and certifications are due at the time the grant application is submitted to WSDOT.

 **Note:** Grant applications submitted without assurances and certifications will be returned to the applicant and will not be evaluated.





## **Chapter 4**

# **Submitting a Grant Application**

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This chapter provides:

- Detailed instructions for filling out the application form for the 5311 Grant Program
- Instructions for assembling your grant application
- Locations where you may submit your application

For information about how your grant will be evaluated, refer to Chapter 5 of this guide, “How Grants Are Awarded.”

### **Before filling out the application form**

Before filling out the application form, be sure that you have read Chapter 1, “Overview of the 5311 Grant Program.” Among other information, Chapter 1 describes eligibility for the 5311 Grant Program.

For guidance on the work that must be done in advance, you should also read Chapter 3, “Preparing for a Grant Application.”

### **You may prepare your application electronically**

This guide includes a copy of the application form (Appendix A); you may use this form to prepare your application. If you prefer to use an electronic version of the form:

- download the form from the grants section of the Public Transportation Office’s web site at <http://www.wsdot.wa.gov/pubtran> or
- Contact the Public Transportation Office and ask to have a disc mailed to you

### **However, use paper to submit your application**

Applications must be submitted on paper with original signatures. WSDOT will not accept electronic submissions or facsimiles. In addition to the original paper version of the application, applicants must submit eight copies of their application and its attachments.

### **Contact us for Help**

If you have any questions regarding these explanations or would like assistance in preparing your application, contact Valerie Rodman at 360-705-7979 or e-mail [rodmanv@wsdot.wa.gov](mailto:rodmanv@wsdot.wa.gov)

## Instructions for filling out the application form and helpful hints

This chapter provides an explanation on how to fill out your application for and some insights on what types of information should be included.

### Agency Information

#### Legal Name

List your organization's corporate name as on file with the Washington State Secretary of State's Office. If your agency or company has a "doing business as" name, please note this name after the corporate name.

#### Contact Person

The person in your organization to whom all correspondence, questions, or notifications should be mailed. This person should have first-hand knowledge of the application's content and the services to be provided with the equipment or operating funds requested.

#### Type of Applicant

Check the box that best describes your organization.

#### Type of Assistance Requested

Check one box. If applying for more than one type of funding, separate applications must be submitted for each funding category.

### Equipment Request

Complete this section only if applying for Capital assistance. If applying for operations assistance, this section should be left blank.

#### Description

- For vehicles, identify the type of vehicle (van, minibus, or bus), passenger capacity or vehicle size, and number of wheelchair tie-down positions (make and model is not applicable).
- If you intend to purchase used vehicles, note this on your application.
- For non-vehicle equipment, such as computers or bus shelters, describe the type of equipment requested.

#### Replace or Expand

Indicate whether this equipment is to be used for replacement of existing equipment or expansion of services.

#### Quantity

Enter the number of vehicles or other equipment items you are requesting.

**Unit Cost**

Enter the estimated price of each vehicle or other equipment item. Prices should be estimated at higher than the current market price as to allow for inflation. Equipment purchases may not be made until a grant is awarded.

**Total Cost**

Multiply the quantity by the unit cost.

☛ **Note:** Costs associated with licensing and obtaining a title for the vehicle are not eligible for reimbursement.

**Sales Tax**

For estimate purposes you should use the sales tax rate charged in your area. If you are a public transit agency, the portion of the local tax rate collected for transit purposes is not eligible for reimbursement, therefore the amount estimated should be reduced by that percentage. Example: The local tax rate in ABC county is 7.9 percent, the transit share of this tax is .3 percent. The sales tax should then be calculated at 7.6 percent.

☛ **Note:** Vehicles carrying 15 passengers or less which will be used for transporting elderly and/or disabled persons are not subject to sales tax per RCW 82.08.0287

To exercise this option, you must be issued rideshare plates by the Department of Licensing.

**Pre-award Review**

Enter the estimated cost for one or two people to make a factory visit as required for a vehicle purchase. If your application does not involve vehicles, leave this area blank.

**Total**

Enter the sum of all project costs.

**Local Share**

Enter the amount of the local share. There is a minimum required local match, 20 percent of the total project costs.

**Federal Share**

Enter the amount of the requested federal share. The requested federal share may not exceed 80 percent of the total project cost.

## **Agency Financial Needs**

### **1. Why is the funding assistance needed?**

Check mark all applicable boxes. Describe why your agency needs the funding assistance requested in this application. If you are replacing equipment, describe the condition of the equipment and why it should be replaced. If you are requesting equipment to expand your services, explain what steps your agency took to identify need in your service area for expanded services. If you are requesting operations assistance, describe why your agency needs financial assistance for the transportation services you provide or intend to provide. In all cases, you should also explain why local resources are insufficient unavailable for your project.

### **2. Does your ability to carry out this project depend on the success of any other 5310 or 5311 grant application?**

If another application has been submitted and its success directly affects your ability to provide the services described in your application, then:

- Check the box titled “YES”
- Identify the agency submitting that proposal
- Check the appropriate box for the type of assistance requested in that proposal
- Briefly describe how that proposal is related to this one

## **Description of Services**

### **3. What passenger transportation services will be provided with the funding requested in this application?**

Fill in the blanks for Service Area, Days of the Week, and Hours. Describe the transportation services your agency provides or intends to provide with the funding and/or equipment requested in this application. Also attach a map of the service area. If the funding is to be used for a specific route(s) within your service area indicate, on the map and in the description, which route(s) are included.

### **4. Provide the service level information requested below**

Provide the requested service information for 2000 (actual), 2001 (estimated), and January 1, 2002 to June 30, 2003 (projected).

### **5. How were the service level estimates developed**

Described what method(s) you used to generate the estimates you provided in question 4.

**6. Why are the services needed and what are the expected benefits to the communities to be served**

Explain why the services you described in question 3 are needed in the communities to be served.

**7. How did your agency identify the need for the services described in question 3 of this application?**

Explain what processes/methods your agency undertook to determine the need for passenger transportation services in the communities to be served.

**8. Describe your efforts to identify and meet the transportation needs of persons with disabilities, and any concentration of ethnic minority people in the proposed service area**

Describe what efforts you have made in identifying the transportation needs as they apply to disabled persons and minority populations in the service area. In addition, complete the requested passenger profile.

**9. What efforts will be made to market your transportation services?**

Describe your organization's marketing plan for the services described in question 3 of this application. 5311 applicants should complete sections A and B of this question. However, 5310 applicants are only required to complete section B.

**10. What experience does your agency have in providing passenger transportation services?**

Describe your agency's experience in providing passenger transportation. This should include how long you have been providing the services described in question 3 as well as other passenger transportation services your agency has provided.

**11. What experience does your agency have in managing grant awards?**

Describe the types of grant awards you have received in the past and what experience you have in managing the grants.

**12. Describe your agency's preventative maintenance program.**

*This question applies to capital assistance applications only.* Describe your agency's preventative maintenance steps in regard to the equipment you currently own or operate. Should your application be successful, the department will expect that the maintenance program described will be carried out with the equipment granted to your agency.

**13. What formal training do you provide your drivers and dispatchers?**

Describe the type of training provided to transportation employees and volunteers, and how frequently your agency updates the training.

**14. Are the services described in this application included in any internal, local, regional, or statewide plan?**

Check “Yes” or “No.” If checking “Yes,” indicate what planning document(s) your services and/or this project are contained in, and describe your organization’s project planning efforts.

☛ **Note:** *Public Transit Agencies* - This project must be included in your most recent Transit Development Plan (TDP) in order to be eligible for funding.

**15. Does your agency currently have formal Drug Abuse and Alcohol Misuse Testing policies?**

Drug abuse and alcohol misuse testing is required for all recipients of 5311 program funds. If you need assistance developing these policies and procedures, contact the Public Transportation Office at WSDOT. See Chapter 1 for more information on this requirement.

## **Project Budget**

**16. What are the total operating expenses for the passenger transportation services described in question 3 of this application?**

Complete the information requested showing the total cost of operating your passenger transportation services and the total capital expenditures incurred or anticipated to be incurred by your agency in providing the passenger transportation services described in question 3 of your application.

☛ **Note:** Regardless of the type of assistance you are applying for, do not include any capital expenses in the budget.

**17. What operating revenue do you expect for the transportation services described in question 3 of this application?**

List all revenues received and those that are anticipated to be received by your agency for providing passenger transportation services in the service area described in question 3 of your application.

☛ **Note:** Do not include revenues that will be retained by your agency for transportation reserve accounts or revenues that have been designated to be used for capital purchases.

☛ **Note:** If you are applying for FTA 5311 operating funds, the *Total Operating Revenue* (including any 5311 operating funds being requested) should equal the *Total Net Operating Expenses*.

**18. What was the balance in your agency's transportation reserve funds as of December 31, 2000?**

Identify the amount of funds retained by your agency in the reserve accounts shown.

**19. What limitations, if any apply to the use of the funds identified above?**

If these funds have been restricted or obligated, briefly describe the restrictions that apply to the funds and/or the projects which will require the use of the funds.

☛ **Note:** *Applicants for Capital Assistance* - If you didn't have any reserve funds, explain how your agency will obtain the required matching funds for the project

**Coordination**

**20. Who have you met with in the last year to develop and coordinate services and funding?**

Place a check beside each type of organization your agency has met with in the last year to develop services and/or funding.

**21. Describe the efforts you have made to coordinate with the entities identified above and the outcomes or products of these efforts.**

Describe the efforts you made to coordinate your services and funding sources with the entities identified in the previous question. Also describe the benefits gained or expected as a result of these efforts. You may also attach any letters of support received from these agencies or the general public.

☛ **Note:** Letters of support should be sent directly to your agency then forwarded to WSDOT along with your application. Letters of support received by WSDOT will not be attached to the applications.

**22. What are your future plans for coordination in regard to service development and funding resources?**

Provide a narrative describing what future efforts will be made by your agency to develop funding sources and coordinate services.

**23. Complete and attach the passenger service vehicle inventory form**

All applicants must complete the passenger service inventory form regardless of the type of assistance being requested. In addition, capital applicants requesting replacement vehicles must identify which vehicle(s) they intend to replace if a grant is awarded.

## **Instructions for assembling a grant application**

When you have filled out your application form, you will assemble your grant application. Several steps are required.

### **Arrange for an authorized signature**

The application must be signed by someone authorized to make assurances of compliance for the applicant, such as the Board Chairperson or delegated authority. Applications signed by unauthorized individuals will not be accepted.

Remember that your certifications and assurances must also be signed by an authorized representative(s).

### **Remember that three attachments are required**

- Current passenger service vehicle inventory
- Minutes of the public hearing and a copy of the legal notice for the hearing (required 5311 capital assistance only)
- Service area map(s)

### **Other attachments are allowed**

- Letters of support
- Pictures or graphs which relate directly to the project described in this application.
- Other attachments pertaining directly to the application

### **Use paper to submit your application**

Applications must be submitted on paper with original signatures and must be accompanied by eight copies of the application and its attachments.

WSDOT will not accept electronic submissions or facsimiles. Applications submitted improperly will not be evaluated and will be returned to the applicant.



## Final checklist for your application

Before submitting your application, review the contents. Your application must include:

- Your original application with an authorized signature
- Copy of current inventory of passenger service vehicles
- Public hearing minutes and a copy of the legal add placed for the hearing (capital applications only)
- Map of service area
- Other allowable attachments such as supporting letters
- Eight complete copies of your application and attachments
- Certifications and assurances (with original application only)

## When and where to submit your application

### The deadline

Submit your completed application by **5 p.m., Tuesday, July 31, 2001.**

☞ **Note:** Applications received after the deadline will not be evaluated and will be returned to the applicant.

### Where to submit your application

Your application may be submitted directly to the Public Transportation and Rail Division in Olympia or to any of WSDOT's Regional TransAid Offices. The addresses are listed on the following page.

☞ **Note:** Some regional Highways and Local Programs office close at 4:00 p.m. Please call ahead to ensure someone will be there to accept your application. Applications that are sent via U.S. mail, Federal Express, or UPS, should be sent directly to Ginny Morin at WSDOT's Headquarters Building in Olympia.

**Locations of offices accepting delivery of applications**

Ginny Morin - (360) 705-6985  
WSDOT Headquarters Building  
310 Maple Park, Room 1A18  
P.O. Box 47387  
Olympia, WA 98504-7387

Bill Pierce - (360) 905-2215  
SW Region  
Highways and Local Programs Office  
4200 Main Street  
Vancouver

Brent Rasmussen - (509) 324-6080  
Eastern Region  
Highways and Local Programs Office  
3608 Division  
Spokane

Stan Delzer - (509) 663-3090  
N Central Region  
Highways and Local Programs Office  
1551 N Wenatchee Avenue  
Wenatchee

Roger Arms - (509) 577-1780  
South Central Regional  
Highways and Local Programs Office  
2809 Rudkin Road  
Union Gap

Paul Johnson - (206) 440-4711  
NW Region  
Highways and Local Programs Office  
15700 Dayton Avenue N, Sixth Floor  
Seattle

## **Chapter 5**

### **How Grants Are Awarded**

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#### **Criteria for evaluating proposals**

WSDOT has established specific criteria to be used by evaluation committee members when reviewing all proposals. Committee members are advised of this criteria at the time the evaluation materials are distributed to them. The criteria consists of the following:

- Does the proposal reflect coordination with, and in support of other transportation providers, including private sector transportation providers?
- Does the proposal commit a reasonable amount of funding to implement the project?
- How well will the project meet the transportation needs of the proposed population to be served?
- How secure is the fiscal capability of the applicant to maintain the proposed service levels?
- Has the applicant demonstrated that local resources and/or services are unavailable or inadequate?
- Does this proposal demonstrate commitment of transportation access for persons with disabilities?

#### **How proposals are rated**

The selection process consists of the following steps:

- An evaluation and selection committee is appointed.
- The committee assembles. Copies of all applications are distributed to them for review along with scoring materials. They are instructed on the program criteria and how the process is performed. A date is established for the completion of the process.
- Each committee member compares each application to all other applications requesting the same type of funding. This process is described on the following page.

**How the applications are compared against each other**

1. Each application is assigned a number and placed on a grid which pairs it with each of the other applications received. (See example of grid below.)

**Sample Scoring Grid**

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
<b>2</b>	1 2	-	-	-	-	-	-	-	-	-
<b>3</b>	1 3	2 3	-	-	-	-	-	-	-	-
<b>4</b>	1 4	2 4	3 4	-	-	-	-	-	-	-
<b>5</b>	1 5	2 5	3 5	4 5	-	-	-	-	-	-
<b>6</b>	1 6	2 6	3 6	4 6	5 6	-	-	-	-	-
<b>7</b>	1 7	2 7	3 7	4 7	5 7	6 7	-	-	-	-
<b>8</b>	1 8	2 8	3 8	4 8	5 8	6 8	7 8	-	-	-
<b>9</b>	1 9	2 9	3 9	4 9	5 9	6 9	7 9	8 9	-	-
<b>10</b>	1 10	2 10	3 10	4 10	5 10	6 10	7 10	8 10	9 10	-

*Figure 5.1 This sample grid shows how all grant applications are given numbers and placed on a grid for evaluators to use in scoring.*

2. Each evaluator compares application 1 to application 2, chooses the superior proposal and circles the corresponding number on the grid. Application 1 is then compared to application 3 and so on until it has been compared to all other proposals. This step is repeated with all other applications until each evaluator has compared all proposals. (See grid on the following page.)

### Sample Scoring Grid Showing Ratings

	1	2	3	4	5	6	7	8	9	10
2	① 2	-	-	-	-	-	-	-	-	-
3	1 ③	2 ③	-	-	-	-	-	-	-	-
4	1 ④	2 ④	③ 4	-	-	-	-	-	-	-
5	1 ⑤	2 ⑤	3 ⑤	4 ⑤	-	-	-	-	-	-
6	① 6	2 ⑥	3 ⑥	④ 6	⑤ 6	-	-	-	-	-
7	1 ⑦	2 ⑦	3 ⑦	④ 7	⑤ 7	6 ⑦	-	-	-	-
8	1 ⑧	2 ⑧	3 ⑧	④ 8	⑤ 8	6 ⑧	7 ⑧	-	-	-
9	① 9	2 ⑨	3 ⑨	④ 9	⑤ 9	6 ⑨	⑦ 9	⑧ 9	-	-
10	① 10	2 ⑩	3 ⑩	④ 10	⑤ 10	⑥ 10	⑦ 10	⑧ 10	⑨ 10	-

*Figure 5.2 This sample scoring grid shows how each grant application is compared against all other applications. In each comparison, the favorably rated application is circled.*

- The scores are tallied based on the number of times each application was chosen in this process. The evaluation committee then reassembles to discuss their individual scores and come to a consensus on a prioritized list of projects. A recommendation is made to WSDOT for funding based on this prioritized list.

### The Selection process continues

After projects are rated and prioritized, the selection process continues:

- The prioritized list is reviewed and approved by WSDOT.
- After WSDOT has been notified of the allocation amount for the program, a project budget is developed based on the prioritized list and all applicants are notified about the results of their application.

For more information on the scheduling and sequence of events in the grants process, see Chapter 2, “The Grants Process.”



## **Chapter 6**

### **Need Help with An Application?**

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#### **Who to contact**

For questions regarding this application guide, contact Valerie Rodman, Grant Programs Branch Manager, at 360-705-7979 or [rodmanv@wsdot.wa.gov](mailto:rodmanv@wsdot.wa.gov)

#### **Want an electronic file of the grant application?**

If you prefer to use an electronic version of the form to prepare your application you may either:

- download the form from the grants section of the Public Transportation Office's web site at <http://www.wsdot.wa.gov/pubtran> or
- Contact the Public Transportation Office and ask to have a disc mailed to you

#### **Need help preparing your proposal?**

Members of WSDOT's Public Transportation and Rail Division staff will provide this assistance. Staff members who assist in preparing applications will not participate in the evaluation process of any of the applications. To request this type of assistance, contact Valerie Rodman at the phone number or e-mail listed above.

There is no assurance that WSDOT-assisted applications will compete more favorably than others.

#### **If you want to submit an appeal**

Applicants may appeal WSDOT's determinations regarding acceptability of applications. Applicants must submit appeals in writing to:

Public Transportation Office Manager  
Public Transportation and Rail Division  
Washington State Department of Transportation  
P.O. Box 47387  
Olympia WA 98504-7387

This appeal must be signed by the board chairperson and must identify the grounds for the appeal. The appeal must be delivered to the manager within seven calendar days of the applicant's receipt of WSDOT's written notice denying acceptance of its application. The manager will accept a facsimile of the appeal,

provided it meets both content and timeliness requirements. Once the manager receives this appeal, the decision and associated procedures will be reviewed. The manager's decision will be final.



## Chapter 7

# About Purchasing Equipment

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This Chapter provides general information to assist grantees in planning for an equipment purchase. The following information is covered:

- Developing equipment specifications
- Seeking bids
- Reviewing responsive bidders
- Post delivery vehicle inspections
- How to title vehicles purchased with grant funds

### When will grantees receive more information?

After being notified of FTA funding for the 5310 Grant Program, each prospective grantee will receive a copy of WSDOT's *Guidebook for Managing 5310 and 5311 Grants*. That document provides detailed instructions for purchasing equipment.

### Developing vehicle specifications

To begin developing vehicle specifications, prospective grantees should contact dealers and manufacturers who might sell the category of equipment WSDOT has approved for the prospective grant.

All vehicles must be wheelchair accessible and otherwise be in compliance with vehicle standards of the Americans with Disabilities Act.

Specifications for vehicles (other than minivans) will include FTA's requirement for model testing at its facility in Altoona, Pennsylvania.

Whenever possible, grantees are encouraged to coordinate their specifications and bids with other agencies seeking to purchase the same type of equipment. For more information on coordinated bids, contact Paul Gamble at (360) 705-7912 or e-mail [gamblep@wsdot.wa.gov](mailto:gamblep@wsdot.wa.gov)

### Need help developing specifications?

WSDOT has sample specifications for vehicles, but these are preliminary—not intended to be sufficiently current or comprehensive for specific applications.

On request, the Public Transportation Office will assist grantees in developing vehicle specifications.

## **When should specifications be developed?**

Prospective grantees may begin developing the specifications once they are notified of a grant award. They must be completed by your agency and approved by WSDOT prior to seeking bids for equipment purchases.

## **Seeking bids**

All acquisitions over \$25,000 must be made through a structured bid process with awards made on the basis of lowest responsible bid. For details on the bid process, see *Guidebook for Managing 5310 and 5311 Grants*.

After receiving WSDOT's concurrence in the specifications, as well as the bidding process, prospective grantees request bids for the equipment being sought.

➤ **Note:** Prospective grantees may open bids before executing WSDOT's grant agreement. However, only bids awarded after executing WSDOT's grant agreement are eligible for grant reimbursement.

## **About used vehicles**

If you intend to purchase used vehicles, you must indicate your intentions on the application.

Used vehicles may be acquired once a fair value has been verified by two independent expert appraisers.

## **Conducting Reviews and Inspections**

Grantees are required to conduct pre-bid award reviews of the responsive bidder having the lowest bid price of the specified vehicle and post delivery inspections of equipment purchased.

### **Review prior to awarding a bid**

Vehicle purchases are subject to pre-award review by the prospective grantee. Under most circumstances, the review is an in-person visit to the responsive manufacturer—not the dealer—of the lowest price vehicle bid. This visit verifies the manufacturer's ability to comply with FTA's *Buy America* mandate, *Federal Motor Vehicle Safety Standards (FMVSS)*, Bus testing requirements, and the prospective grantee's own specifications.

### **Who should travel to perform the review?**

The trip should be made by persons familiar with the specifications and how vehicles work, such as operations supervisors and mechanics.

**When should the review trip be taken?**

The trip to conduct the review trip must occur after executing WSDOT's grant and before the bid award.

**Can the expense of the trip be charged to the grant?**

The review trip is eligible for reimbursement under the grant, provided it appropriately occurs after executing WSDOT's grant and before the bid award.

**Inspect after delivery**

The post delivery inspection verifies that the vehicle(s) was built according to the grantees specifications; has no cosmetic or mechanical defects; and is in compliance with bus testing, Buy America, and FMVSS.

**How should vehicles be titled?**

All vehicles purchased must be titled with the grantee as registered owner and WSDOT as the legal owner/lien holder.

**How long does WSDOT hold the title?**

WSDOT will release vehicle titles or interest in equipment when the equipment's useful life is reached

WSDOT may release the title earlier if the Grantee wants to surplus the equipment prior to the end of the useful life. However, the grantee is eligible to receive only 20 percent of the current fair market value of the equipment, or the percentage of the grantees contribution to the original project costs. The current fair market value must be determined by an independent appraisal of the equipment.

## About the vehicle's useful life

WSDOT determines the useful life of vehicles based on the average amount of time a certain category of vehicle can be used for passenger transportation services. Currently, useful life for certain vehicle categories is described below.

<b><u>Type of Vehicles</u></b>	<b><u>Useful Life</u></b>
Vans	4 years
Minibuses (4 wheels)	5 years
Minibuses (dual rear wheels) wheelbase up to 158"	6 years
Minibuses (dual rear wheels) wheelbase 159" to 181"	7 years
Small Buses less than 19,000 lbs. GVW	8 years
Buses 19,000 - 24,000 lbs. GVW	9 years
Buses greater than 24,000 lbs. GVW	12 years

☛ **Note:** If the equipment's useful life has not been reached when the grantee wants to surplus the equipment, the grantee is eligible to receive only 20 percent of the current fair value of the equipment, or the percentage of the grantees contribution to the project cost.

## What about other types of equipment?

Most other types of equipment fall within the small purchasing procedures (items with a unit cost of less than \$25,000) Grantees will be expected to follow their own purchasing procedures. This must, as a minimum, include obtaining written quotes to determine the most reasonable price.

☛ **Note:** All grantees purchasing equipment, other than vehicles, will be expected to make good faith efforts to purchase from DBE vendors. See Chapter 1 for more information on this requirement.

## Chapter 8

# About Operating Assistance

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### When will grantees receive more information?

After being notified of FTA funding for the 5311 Grant Program, each prospective grantee will receive a copy of WSDOT's *Guidebook for Managing 5310 and 5311 Grants*.

### When can the operating project begin?

Unless otherwise specified by the prospective grantee, grants for operating assistance will be for the grant period from January 1, 2002 to June 30, 2003.

### Grantees must make good faith efforts to purchase from DBEs

Each grantee must make good faith efforts to purchase from certified Disadvantaged Business Enterprises (DBE's).


Good faith efforts include, but are not limited to:

- Actively seek DBE vendors who are able to supply goods or services to your agency
- Encourage potential DBEs to become certified
- Assist potential DBEs with the certification process

WSDOT requires quarterly progress reports from grantees for complying with the DBE regulations. These reports include the actual amount spent with DBE vendors during the billing period and what efforts the grantee has made to purchase from DBEs.

### How do I know if a DBE firm is certified?

To obtain a current listing of DBE firms that are certified in Washington State, contact the Washington State Office of Minority and Women Owned Business Enterprises (OMWBE) at (360) 753-9693 or check their internet site at <http://www.omwbe.wa.gov/>

 **Note:** Grantees who are awarded a combined total of \$250,000 or more in FTA funds (exclusive of rolling stock) must develop formal DBE goals and policies. Those goals and policies must be approved be submitted to WSDOT for approval.



## Appendix A

# Application Form for 5311 Grant Program

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Before filling out the application form, be sure that you have read the following chapters of this guide:

- **Chapter 3, “Preparing for a Grant Application”**
- **Chapter 4, “Submitting a Grant Application”**

Chapter 3, “Preparing for a Grant Application,” provides applicants with important background information and requirements for a grant application.

Chapter 4, “Submitting a Grant Application,” provides an explanation on how to fill out your application form, some insights on what types of information should be included, how to assemble the application packet, and tells you where and when to submit an application.





## **Appendix B**

# **Assurances and Certifications**

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Appendix B provides blank forms for some of the assurances and certifications that applicants are required to submit with an application for the 5311 Grant Program.

For information on the complete requirements for assurances and certifications, see Chapter 3, “Preparing for a Grant Application.”



**Sample Letter for Acceptance of the  
Section 5333(b) Special Warranty (formerly 13c)**  
*(Prepared on your agency's letterhead with date)*

Ms. Valerie Rodman  
Washington State Department of Transportation  
Public Transportation Office  
P.O. Box 47387  
Olympia, Washington 98504-7387

Dear Ms. Rodman:

The (your agency's name) hereby certified that it will comply with all Federal statutes, regulations, Executive Orders, and administrative requirements applicable to its application made to and grants received from the Washington State Department of Transportation under 49 U.S.C. §5311.

In addition, (your agency's name) hereby accepts all of the provisions of the Department of Labor's Special §5333(b) Warranty for Applications to the Small Urban and Rural Program. (Your agency's name)'s transportation employees (are not represented by any union, or, are represented by Local applicable number, union name, and location).

I also enclose a copy of (your agency's name)'s certificate issued by the Washington Utilities and Transportation Commission authorizing transportation services. **(Note: this paragraph does not apply to grantees which are governmental entities.)**

The provisions of 49 U.S.C. §5333(b), 29 CFR PART 215, and Section 1001 of Title 18, U.S.C., apply to all certifications and submissions in connection with applications made to and grants received from 49 U.S.C. §5311.

The (your agency's name) certifies or affirms the truthfulness and accuracy of the contents of the statements and understands that the provisions of 31 U.S.C. §3801 et seq. are applicable thereto.

Sincerely,

(Signature and title of your  
agency's board chairperson)

**Certification of Compliance**  
*(prepare on your agency's letterhead)*

(Date)

Barb Savary  
WSDOT  
Public Transportation Office  
P.O. Box 47387  
Olympia, Washington 98504-7387

I, \_\_\_\_\_, \_\_\_\_\_, on behalf of  
(name) (title)

\_\_\_\_\_, certify that this agency (has established and  
(agency)

implemented/will establish and implement) anti-drug and alcohol misuse prevention programs in  
accordance with the terms of 49 CFR part 653 and 654.

Sincerely,

(name)  
(title)

## Federal Transit Administration Civil Rights Assurances

The \_\_\_\_\_ HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under 49 USC §5311, it will ensure that:

- No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
- The \_\_\_\_\_ will compile, maintain, and submit in a timely manner, Title VI information required by UMTA Circular 4702.1 and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
- The \_\_\_\_\_ will make it known to the public that those persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person whose signature appears below is authorized to sign this assurance on behalf of the grant applicant or recipients.

\_\_\_\_\_  
(Name and title of authorized agency official)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of authorized agency official)

## **Assurance Concerning Nondiscrimination on the Basis of Disability in Federally Assisted Programs and Activities Receiving or Benefiting from Federal Financial Assistance**

As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," at 49 CFR part 27, implementing the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended, the Applicant assures that, as a condition to the approval or extension of any Federal assistance awarded by FTA to construct any facility, obtain any rolling stock or other equipment, undertake studies, conduct research, or to participate in or obtain any benefit from any program administered by FTA, no otherwise qualified person with a disability shall be, solely by reason of that disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving or benefiting from Federal assistance administered by the FTA or any entity within U.S. DOT. The Applicant assures that project implementation and operations so assisted will comply with all applicable requirements of U.S. DOT regulations implementing the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended, at 49 CFR parts 27, 37, and 38, and any applicable regulations and directives issued by other Federal departments or agencies.

Specifically, the \_\_\_\_\_ HEREBY ASSURES THAT it will conduct any program or operate any facility so assisted in compliance with all applicable requirements imposed by U.S. Department of Transportation regulations implementing the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, and any subsequent amendments, set forth at 49 C.F.R. Parts 27, 37, and 38, as well as all applicable regulations and directives issued pursuant thereto by other Federal departments or agencies.

\_\_\_\_\_  
(Signature of Authorized Official)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Title of Authorized Official)

## Certification Of Restrictions On Lobbying

I, \_\_\_\_\_, hereby certify on behalf of  
(Name of Agency Official)

\_\_\_\_\_, that:  
(Agency's Legal Name)

- No Federally appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 31, section 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

By: \_\_\_\_\_  
(signature of authorized official)

\_\_\_\_\_  
(title of authorized official)

## Procurement Compliance

The Applicant certifies that its procurements and procurement system will comply with all applicable requirements imposed by Federal laws, executive orders, or regulations and the requirements of FTA Circular 4220.1D, "Third Party Contracting Requirements," and other implementing requirements FTA may issue. The Applicant certifies that it will include in its contracts financed in whole or in part with FTA assistance all clauses required by Federal laws, executive orders, or regulations, and will ensure that each subrecipient and contractor will also include in its subagreements and contracts financed in whole or in part with FTA assistance all applicable clauses required by Federal laws, executive orders, or regulations.

Applicant: \_\_\_\_\_  
(Agency's Name)

By: \_\_\_\_\_  
(Name and title of authorized agency official)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of authorized agency official)



## **Bus Testing Certification Required for New Buses**

As required by FTA regulations, "Bus Testing," at 49 CFR 665.7, the Applicant certifies that before expending any Federal assistance to acquire the first bus of any new bus model or any bus model with a new major change in configuration or components or authorizing final acceptance of that bus (as described in 49 CFR part 665):

- A. The model of the bus will have been tested at a bus testing facility approved by FTA.
- B. It will have received a copy of the test report prepared on the bus model.

Applicant: \_\_\_\_\_  
(Agency's Name)

By: \_\_\_\_\_  
(Name and title of authorized agency official)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of authorized agency official)

## **Certification Regarding Debarment, Suspension and Other Responsibility Matters**

As required by U.S. DOT regulations on Government wide Debarment and suspension (Non-procurement) at

- I. The Applicant certifies to the best of its knowledge and believe, that and its principals
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal department or agency
  - (b) Have not within a three-year period preceding this proposal have convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connecting with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statement, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or Local) with commission of any of the offenses listed in paragraph (2) of this certification.
  - (d) Have not within a three-year period preceding this certification had one or more public transactions (Federal, State, or Local) terminated for cause or default.
- II. The Applicant also certifies that if, later, it becomes aware of any information contradicting the statements of paragraphs (a) through (d) above, it will promptly provide that information to WSDOT.
- III. If the Applicant is unable to certify to the statements within paragraphs (1) and (2) above, it shall indicate so on its Signature Page and provide a written explanation to WSDOT.

Applicant: \_\_\_\_\_  
(Agency's Name)

By: \_\_\_\_\_  
(Name and title of authorized agency official)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of authorized agency official)

**Certification of Pre-Award and Post-Delivery of Rolling Stock Reviews  
Required for Each Applicant Seeking to Purchase Rolling Stock  
Financed with Federal Assistance from FTA**

As required by 49 U.S.C. 5323(1), and implementing FTA regulations at 49 CFR 663.7, the Applicant certifies that it will comply with the requirements of 49 CFR part 663, in the course of purchasing revenue service rolling stock. Among other things, the Applicant will conduct or cause to be conducted the prescribed pre-award and post-delivery reviews, and will maintain on file the certifications required by 49 CFR part 663, subparts B, C, and D.

Applicant: \_\_\_\_\_  
(Agency's Name)

By: \_\_\_\_\_  
(Name and title of authorized agency official)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of authorized agency official)

## Charter Service Agreement

- A. As required by 49 U.S.C. 5323(d) and FTA regulations, "Charter Service," at 49 CFR 604.7, the Applicant agrees that it and all its recipients will:
- (1) provide charter service that uses equipment or facilities acquired with Federal assistance authorized 49 U.S.C. 5307, 5309, or 5311 or Title 23 U.S.C., only to the extent that there are no private charter service operators willing and able to provide the charter service that it or its recipients desire to provide, unless one of more of the exceptions in 49 CFR 604.9 applies, and
  - (2) comply with the provisions of 49 CFR part 604 before they provide any charter service using equipment or facilities acquired with Federal assistance authorized for the above statutes.
- B. The Applicant understands that the requirements of 49 CFR part 604 will apply to any charter service provided, the definitions in 49 CFR part 604 apply to this agreement, and violation of this agreement may require corrective measures and the imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

Applicant: \_\_\_\_\_  
(Agency's Name)

By: \_\_\_\_\_  
(Name and title of authorized agency official)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of authorized agency official)

## School Transportation Agreement

- A. As required by 49 U.S.C. 5323(F) and FTA regulations, "School Bus Operations," at 49 CFR 605.14, the Applicant agrees that it and all its recipients will:
- (1) engage in school transportation operation in competition with private school transportation operators only to the extent permitted by an exception provided by 49 U.S.C. 5323(f), and implementing regulations, and
  - (2) comply with the requirements of 49 CFR part 605 before providing any school transportation using equipment or facilities acquired with Federal assistance authorized by 49 U.S.C. chapter 53 or Title 23 U.S.C. awarded by FTA for transportation projects.
- B. The applicant understands that the requirements of 49 CFR part 605 will apply to any school transportation it provides, the definitions of 49 CFR part 605 apply to this school transportation agreement, and a violation of this agreement may require corrective measures and the imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

Applicant: \_\_\_\_\_  
(Agency's Name)

By: \_\_\_\_\_  
(Name and title of authorized agency official)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of authorized agency official)



## **Appendix C**

### **About WUTC Certificates**

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#### **To apply for a grant, you must have a certificate**

To participate in the 5311 Grant Program (private non-profit transportation providers), applicants are required to be certified by the Washington Utilities and Transportation Commission (WUTC).

To qualify as a private non-profit transportation provider, the applicant must file proof of its non-profit status and must provide special needs transportation for compensation.

By law, all private, nonprofit transportation providers who meet the above criteria must obtain a certificate from the WUTC and are subject to WUTC rules and regulations, as published in WAC 480-31, with amendments. (This does not apply exclusively to 5311 Grant Program participants.)

#### **How to apply for a certificate**

To apply for a certificate, contact the WUTC for an application packet:

Washington Utilities and Transportation Commission  
Regulatory Services--Transportation Operations  
P.O. Box 47250  
Olympia WA 98504-7250  
360-753-3111

#### **What does an application packet contain?**

- Application for Certificate
- Safety Fitness Survey
- Tariffs (sample forms)
- WAC 480-31, Rules Relating to Private Non-Profit Transportation Providers, and "Your Guide to Achieving a Satisfactory Safety Record"





## Appendix D

### Sample Notice for Public Hearing

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Public hearings are required only for applications for capital assistance. For information on the public hearings requirement, refer to Chapter 1 of this guide, "Overview of the 5311 Grant Program."

#### Sample notice

ABC Transit proposes to apply to the Washington State Department of Transportation for \$200,000 from the Federal Transit Administration's 5311 Grant Program (Formerly Section 18 of the Federal Transit Act). These federal funds would help subsidize its costs in purchasing two new diesel powered 16 -22 passenger wheelchair accessible vehicles - one to increase service to meet demand and one to replace an older less reliable minibus.

ABC Transit will hold a public hearing to discuss this proposal, including its need, its economic and social effects, its impact upon the environment, its consistency with local planning, and its relation to other locally offered public passenger transportation. The hearing will begin at 3:00 p.m., local time, Wednesday, June 20, 2001 in Conference Room, ABC Transit, 123 Any Street, Rural City. The hearing site is accessible to the physically disabled.

Written and/or oral statements about this proposal may be made at this hearing.

Interpreters for people with hearing impairments, and Braille or taped information for people with visual impairments can be provided. Please contact the receptionist at the above address or (360) 123-4567 by June 13.

